

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ERIC FLORES

PLAINTIFF

V.

NO. 4:15-cv-00048-DMB-JMV

**UNITED STATES ATTORNEY
GENERAL; and FEDERAL BUREAU
OF INVESTIGATION**

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On April 20, 2015, Plaintiff Eric Flores filed a motion to proceed in forma pauperis and a “Motion to Transfer Multidistrict Litigation to the District of Columbia Pursuant to 27 U.S.C. & [sic] for Coordinated and Consolidated Pretrial Proceedings by Judicial Panel for Multidistrict Litigation.” Doc. #2; Doc. #3.

On June 3, 2015, U.S. Magistrate Judge Jane M. Virden issued a Report and Recommendation (“R&R”) recommending that: (1) Plaintiff’s motion to proceed in forma pauperis be granted; (2) Plaintiff’s motion to transfer be denied; and (3) “this action be dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).” Doc. # 6 at 6. The R&R warned that “any … objections [to the R&R] are required to be in writing and must be filed within fourteen days of this date. Failure to timely file written objections … will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal unobjected-to proposed factual findings and legal conclusions accepted by the district court.” *Id.* at 7 (citing *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415 (5th Cir. 1996)). A copy of the R&R was mailed to the pro se plaintiff via United States Postal Service on June 3, 2015.

More than fourteen days have elapsed since service of the R&R and no objection thereto has been filed or served by any party. Accordingly, this Court’s review of the R&R is limited to

plain error. *See Molina-Uribe v. U.S.*, No. B:97-97, 2009 WL 3535498, at *15 (S.D. Tex. Sep. 10, 2009) (“In the absence of plain error, a party’s failure to object timely to a Magistrate Judge’s Report and Recommendation waives any right to further judicial review of that decision.”) (citing *Douglass*, 79 F.3d at 1428–29).

The Court has reviewed the R&R and has found no plain error. Accordingly, the R&R [6] is **APPROVED and ADOPTED** as the opinion of the court. Thus, (1) Plaintiff’s motion to proceed in forma pauperis [2] is **GRANTED**; (2) Plaintiff’s motion to transfer [3] is **DENIED**; and (3) this case is **DISMISSED as frivolous** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

SO ORDERED, this 13th day of July, 2015.

/s/ Debra M. Brown
UNITED STATES DISTRICT JUDGE